



PUNJAB STATE TRANSMISSION CORPORATION LIMITED
(Regd. Office: PSEB, Head Office, The Mall, Patiala-147001, Punjab, India)
Corporate Identity Number - U40109PB2010SGC033814,
Office of CFO, AO/Taxation, Shakti Sadan, Patiala
E-mail: ao-taxation@pstcl.org, Tel/Fax No. 0175-2203637

GST Circular no. 10/2018

To

All Addl. SEs/Sr. Xens/AOs (DDOs)
Under PSTCL

Memo No: - 2485-2530/CFO/Taxation/38

Dated: - 25.09.2018

Subject: - Applicability of TDS provisions under Section 51 of the CGST Act, 2017 w.e.f 1-10-2018.

Govt. of India notified Section 51 of the CGST Act, 2017 w.e.f 01-10-2018 vide Notification no.50/2018-Central Tax dated 13.09.2018 (copy of notification attached). As per clause (d) of sub section (1) of section 51 (notified by the said notification) every DDO of PSTCL is required to deduct TDS under Section 51 of the CGST Act, 2017 by complying the following provisions:

1. Registration by DDOs

As per Section 24(vi) of CGST Act, 2017, **all DDOs of PSTCL shall be required to apply for registration as "Tax Deductor"** compulsory on GSTN portal (<https://reg.gst.gov.in/registration/>) at their own level using their TAN allotted under the Income Tax Act.

2. Rate of Tax and minimum amount

To deduct tax at the rate of **2% (i.e. CGST 1% and SGST 1% or IGST 2%)** from the payment made or credited to the supplier (i.e. deductee) of taxable goods or services or both, where the total value of such supply, **of contract, exceeds two lakh and fifty thousand rupees i.e. Rs. 250000/- whether in a single or multiple transactions.**

For the purpose of deduction of tax specified above, the value of supply shall be taken as the amount **excluding the central tax, State tax, Union territory tax, integrated tax and cess indicated in the invoice** i.e. without including the amount of GST charged on the amount.

Provided that no deduction shall be made if the location of the supplier and the place of supply is in a State or Union territory which is different from the State or as the case may be, Union territory of registration of the recipient.

Example:

Sr. No.	Recipient place	Supplier place	Place of supply	TDS Applicability
1.	Punjab	Punjab	Punjab	Yes
2.	Punjab	Punjab	Chandigarh/Haryana	Yes
3.	Punjab	Chandigarh/Haryana	Chandigarh/Haryana	No

3. Date of Deposit of TDS

The amount deducted as tax under this section shall be paid to the Government by the deductor (i.e. DDOs of PSTCL) within ten days after the end of the month in which such deduction is made by using challan generated from the GSTN portal by concerned DDO of PSTCL (deductor) i.e. 10th of the next month in which the TDS is deducted.

Further as per Section 39(3) of the CGST Act, 2017 every registered person responsible for deducting TDS under Section 51, shall furnish the return in FORM GSTR-7 within 10 days from the month in which the TDS is deducted.

4. Issue of TDS Certificate

The deductor (DDOs of PSTCL) shall furnish to the deductee a GST TDS certificate mentioning therein the contract value, rate of deduction, amount deducted, amount paid to the Government and such other particulars in such manner as may be prescribed.

If any deductor fails to furnish to the deductee the GST TDS certificate, after deducting the tax at source, **within five days** of crediting the amount so deducted to the Government, the deductor shall pay, by way of a late fee of rupee two hundred (CGST+SGST/IGST) per day subject to maximum of five thousands rupees.

5. Interest and Penalty provisions

If any deductor fails to pay to the Government the amount deducted as tax, he shall pay interest in accordance with the provisions of sub-section (1) of section 50 i.e. @18% p.a., in addition to the amount of tax deducted. Further the determination of the amount in default under this section shall be made in the manner specified in section 73 or section 74.

6. Refund of GST TDS

The refund to the deductor or the deductee arising on account of excess or erroneous deduction shall be dealt with in accordance with the provisions of section 54. Provided that no refund to the deductor shall be granted, if the amount deducted has been credited to the electronic cash ledger of the deductee.

As discussed above w.e.f 1st day of October every DDO of PSTCL is required to deduct TDS @2% (i.e. CGST 1% and SGST 1% or IGST 2%) on payment to be made to supplier of taxable goods & services or both **if the contract value exceeds Rs. 250000/-**.

7. Note: TDS under GST Act is required to be deducted separately besides TDS under Income tax Act.

This is for your information and compliance the same.



Accounts Officer/ Taxation
PSTCL, Patiala.


Endst No: - 2531-2566/CFO/Taxation/38

Dated: - 25.09.2018

Copy of the above is forwarded to the following for information and further necessary action please.

1. Chief Engineer/HIS&D PSTCL, Patiala.
2. Chief Engineer/SLDC, PSTCL, Patiala.
3. Chief Engineer/TS, PSTCL, Patiala.
4. Chief Engineer/P&M PSTCL Ludhiana.
5. CAO/F&A, PSTCL Patiala.
6. Company Secretary, PSTCL.
7. All Dy.CEs/SEs under PSTCL.
8. All Dy. CAOs / Dy. CAs under PSTCL.
9. All Addl. SEs/Sr. Xens under PSTCL (other than DDOs)
10. All AOs under PSTCL (other than DDOs).

11. SE/IT, PSTCL, Patiala for uploading the circular on website of PSTCL.


Accounts Officer/Taxation
PSTCL, Patiala.

CC:

1. PS to CMD, PSTCL, Patiala for kind information of CMD, please.
2. PS to Director/F&C, PSTCL, Patiala for kind information of Director/F&C, please.
3. Joint. Secy. to Director/Tech., PSTCL, Patiala for kind information of Director/Tech., please.
4. Sr. PS to Director/Admn., PSTCL, Patiala for kind information of Director/Admin, please.

[To be published in the Gazette of India, Extraordinary, Part II, Section 3, Subsection (i)]

Government of India
Ministry of Finance
(Department of Revenue)
Central Board of Indirect Taxes and Customs
Notification No. 50/2018 – Central Tax

New Delhi, the 13th September, 2018

G.S.R.(E).— In exercise of the powers conferred by sub-section (3) of section 1 of the Central Goods and Services Tax Act, 2017 (12 of 2017) and in supersession of the notification of the Government of India in the Ministry of Finance, Department of Revenue No. 33/2017-Central Tax, dated the 15th September, 2017, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) vide number G.S.R. 1163 (E), dated the 15th September, 2017, except as respects things done or omitted to be done before such supersession, the Central Government hereby appoints the 1st day of October, 2018, as the date on which the provisions of section 51 of the said Act shall come into force with respect to persons specified under clauses (a), (b) and (c) of sub-section (1) of section 51 of the said Act and the persons specified below under clause (d) of sub-section (1) of section 51 of the said Act, namely:-

(a) an authority or a board or any other body, -

- (i) set up by an Act of Parliament or a State Legislature; or
- (ii) established by any Government,

with fifty-one per cent. or more participation by way of equity or control, to carry out any function;

(b) Society established by the Central Government or the State Government or a Local Authority under the Societies Registration Act, 1860 (21 of 1860);

(c) public sector undertakings.

[F. No. 349/58/2017-GST(Pt.)]

(Gunjan Kumar Verma)
Under Secretary to the Government of India